



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Robert D. Mowrey
Alston and Bird LLP
One Atlantic Center
1201 West Peachtree Street
Atlanta, GA 30309-3424

Date: May 17, 2006

RE: BGF Industries Inc., 30-Day Notification for Self Implementing PCB Remediation

Dear Mr. Mowrey:

This letter is in response to Alston and Bird, LLP's workplan notification on behalf of BGF Industries Inc., (BGF) dated April 13, 2006, to the U.S. Environmental Protection Agency, Region III ("EPA"), regarding BGF's plan to remove polychlorinated biphenyl ("PCB") contaminated soil from impacted locations identified at the BGF facility premises, located at 401 Amherst Avenue in Altavista, Campbell County, Virginia.

Alston and Bird, LLP and BGF provided this notification to EPA for approval pursuant to the *Self-implementing on-site cleanup and disposal of PCB remediation waste* requirements promulgated at 40 C.F.R. § 761.61(a). Specifically, the workplan describes procedures and standards for removal of PCB-contaminated soil from 5 distinct locations at the property. These locations are identified as: Drain Area, East Yard Drum Storage Area, Central Yard Water Tank Area, North Yard Sluice Gate Area and the Site Drainage Area. BGF plans to excavate, transport and dispose of the soil from the impacted areas. Further evaluations and remedial options may be warranted if removal procedures fail to achieve regulatory cleanup levels.

EPA has reviewed BGF's cleanup plan for the site and finds that it is consistent with the requirements of 40 C.F.R. § 761.61(a). EPA hereby approves the cleanup plan for the site, submitted with the 30-day notification, dated April 13, 2006. This approval is subject to the conditions and limitations set forth in the regulations governing *Self-implementing on-site cleanup and disposal of PCB remediation waste*, 40 C.F.R. § 761.61(a). The plan may be modified only in accordance with the procedures described at 40 C.F.R. § 761.61(a)(3)(ii).

EPA's approval of BGF's plan does not in any way constitute a finding by EPA that the site will be safe or appropriate for any future use, nor does it insulate the owner or occupant of the property from action under any applicable law, and does not relieve BGF or any other owner or operator of the site of its continuing responsibility to comply fully with 40 C.F.R. Part 761.

Customer Service Hotline: 1-800-438-2474

EPA emphasizes that these regulations include several conditions and limitations that apply to persons performing “self-implementing on-site cleanup and disposal of PCB remediation waste.” Among other things, the regulations state that “[c]omplete compliance with 40 C.F.R. § 761.61(a) does not create a presumption against enforcement action for penalties for any unauthorized PCB disposal.” 40 C.F.R. § 761.50(b)(3)(ii)(B). Further, “[a]ny person storing or disposing of PCBs is also responsible for determining and complying with all other applicable Federal, State, and local laws and regulations”. 40 C.F.R. § 761.50(a)(6).

EPA is requesting that a brief summary of the completed clean-up activities, including, but not limited to, total amounts of PCB waste disposed and the analytical results that verify completion of the cleanup, be submitted within ninety (90) days of completion to:

U.S. Environmental Protection Agency
Region III
Mr. Scott Rice
Waste and Chemicals Management Division
1060 Chapline Street
Wheeling, WV 26003

Any questions concerning the self-implementing site cleanup plan should be directed to Mr. Rice at 304 231 0501.

Sincerely,

James J. Burke, Director
Waste and Chemicals Management Division

cc: Dr. Khizar Wasti, Director
Division of Health Hazards Control
Virginia Department of Health
1500 East Main Street
P.O. Box 2448, Room 124
Richmond, VA 23218
(804) 786-1763

Mr. Robert Weld, Superfund Program Coordinator
Virginia Department of Environmental Quality
629 East Main Street
Richmond, VA 23219
(804) 698-4201